

Atty. Dkt. No. 084335-0182

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Takao ISOGAI et al.  
Title: FULL-LENGTH cDNA  
Appl. No.: 10/777,288  
Filing Date: 02/13/2004  
Examiner: Unassigned  
Art Unit: 1653

**TRANSMITTAL OF MISSING PARTS  
OF PATENT APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed 06/10/2004, in the above-identified application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

- [ X ] Return Copy of Notice to File Missing Parts (3 pages)
- [ X ] Supplemental Application Data Sheet (6 pages)
- [ X ] Executed Declaration and Power of Attorney (60 pages)
- [ X ] Preliminary Amendment (3 pages)
- [ X ] Claim for Convention Priority (1 page)
- [ X ] 1 CD-R containing English language translations of domestic priority documents, U.S. SN 60/490,871 and U.S. SN 60/476,172
- [ X ] Certified Copy of both Foreign Priority Documents (3 boxes)
- [ X ] Statement to Support Filing and Submission in Accordance with 37 CFR 1.821-1.825 (2 pages)

- ☒ CD-R labeled "CRF", CD-R labeled "Copy 1" and CD-R labeled "Copy 2"
- ☒ Information Disclosure Statement (2 pages)
- ☒ PTO/SB/08 listing 1 document (1 page)
- ☒ Copy of listed document (105 pages)
- ☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

- ☐ Extension for response filed within the first month
- ☐ Extension for response filed within the second month
- ☒ Extension for response filed within the third month
- ☐ Extension for response filed within the fourth month
- ☐ Extension for response filed within the fifth month

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$790.00	\$790.00
Total	17	- 20	= 0	x \$18.00	= \$0.00
Claims:					
Independ	3	- 3	= 0	x \$88.00	= \$0.00
ents:					
If any Multiple Dependent Claim(s) present:			+	\$300.00	= \$300.00
Surcharge under 37 CFR 1.16(e) for late filing of			+	\$130.00	= \$130.00
Executed Declaration and late payment of filing fee					
<input checked="" type="checkbox"/> Extension fee for response filed within			+	\$980.00	= \$ 980.00
the third month:					
				SUBTOTAL:	= \$2,200.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):					= \$0.00
				TOTAL FILING FEE:	= \$2,200.00
				TOTAL FEE	= \$2,200.00
Difference to pay:			-	\$0.00	- \$2,200.00


☒ Check in the amount of \$2,200.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 11-10-2004

FOLEY & LARDNER LLP  
Customer Number: 22428  
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By  (45,943)  
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For



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/777,288	02/13/2004	Takao Isogai	084335-0182

CONFIRMATION NO. 2549

## FORMALITIES LETTER



\*OC000000012903318\*

22428  
 FOLEY AND LARDNER  
 SUITE 500  
 3000 K STREET NW  
 WASHINGTON, DC 20007

Date Mailed: 06/10/2004

11/12/2004 MBLANCO 00000001 10777288

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01 FC:1001	790.00 OP
02 FC:1203	300.00 OP
03 FC:1051	130.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application is objected to because it contains a data file on CD-ROM/CD-R, however, the transmittal letter does not list for each compact disc, the machine format, the operating system compatibility, a list of files contained on the compact disc including their names, sizes in bytes, and dates of creation, plus any other special information that is necessary to identify, maintain, and interpret the information on the compact disc as required by 37 CFR 1.52(e)(3). A statement listing the required information is required. Additionally, the disc(s) is not identified in the paper portion of the specification with a listing of all of the files contained on the disc. When portions of an application are contained on a compact disc, the paper portion of the specification must identify the compact disc(s) and list the files including name, file size, and creation date on each of the compact discs. See 37 CFR 1.52(e). Applicant(s) are required to amend the specification to identify each disc and the files contained on the disc including the file name, file size, and file creation date.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8,

2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)**

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$290 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1190** for a Large Entity

- <sup>790</sup>~~\$770~~ Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$290
  - \$290 for multiple dependent claim surcharge.

<sup>300</sup>

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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***A copy of this notice MUST be returned with the reply.***

*N. Mohammed*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE